

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Docket No. 21-CR-108 (PAM)

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**DEFENSE COUNSEL'S
MOTION TO WITHDRAW**

DEREK MICHAEL CHAUVIN,

Defendant.

Eric J. Nelson, counsel of record for the Defendant in the above-captioned matter, respectfully moves this Court, pursuant to United States District Court for the District of Minnesota L.R. 83.7(c), for an order permitting Eric J. Nelson to withdraw as counsel for the Defendant on the following grounds:

1. The Defendant executed a plea agreement waiving his right to appeal any sentence of a length shorter than 300 months.
2. The change of plea hearing transcript reflects that Defendant was satisfied with his counsel, understood the plea agreement, and understood his rights.
3. The District Court's sentence of 240 months was less than 300 months and fell below the applicable Guidelines range of LIFE imprisonment.
4. The Defendant was sentenced on July 7, 2022, and declined to take a direct appeal of his sentence within 14 days of his sentencing.
5. Defendant has indicated that he is no longer satisfied with present counsel, seeks to proceed in forma pauperis, and in an August 9, 2023, telephone message, directed the undersigned counsel to withdraw from this matter.

WHEREFORE, for good cause shown, the undersigned counsel of record for the Defendant respectfully request that this Court enter its order permitting Eric J. Nelson to withdraw as counsel in this matter for the Defendant, Derek Michael Chauvin.

Respectfully submitted,

HALBERG CRIMINAL DEFENSE

Dated: August 9, 2023

/s/ *Eric J. Nelson*

Eric J. Nelson, #308808
7900 Xerxes Ave. S., Ste. 1700
Bloomington, MN 55431
(612) 333-3673
enelson@halbergdefense.com